

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL RIVERA,	:	
Plaintiff,	:	1:15-cv-2089
	:	
v.	:	Hon. John E. Jones III
	:	
C.O. II SERGEANT R. MCCOY,	:	
Defendant.	:	

**ORDER**

**September 11, 2017**

NOW THEREFORE, upon consideration of the motion (Doc. 26) for summary judgment pursuant to Federal Rule of Civil Procedure 56, and in accordance with the Court's Memorandum of the same date, it is hereby ORDERED that:

1. The motion (Doc. 26) for summary judgment is GRANTED.
2. The Clerk of Court is directed to ENTER judgment against Plaintiff and in favor of Defendant McCoy.
3. The Clerk of Court is further directed to CLOSE this case.
4. Any appeal from this order is deemed frivolous and not in good faith. *See* 28 U.S.C. § 1915(a)(3).

s/ John E. Jones III  
John E. Jones III  
United States District Judge